FARTHER
ANIMADVERSIONS
ON THE
Conduct of a Late NOBLE COMMANDER,
AT THE
BATTLE of THONHAUSEN.

[Price One Shilling.]

FARTHER
ANIMADVERSIONS
On the CONDUCT of
A Late NOBLE COMMANDER,
at the Battle of THONHAUSEN.
IN
REPLY to a PAMPHLET,
INTITLED,
An ANSWER to a LETTER
TO A
Late NOBLE COMMANDER, &c.

To which is annexed

An ANSWER to a PAMPHLET, intitled, "Colonel "FITZROY's Letter conſidered, ſo far as it re- "lates to the AUTHOR of the Letters," &c.

By the AUTHOR of
The two Letters to a Late NOBLE COMMANDER.

"A good Cauſe doth not want any Bitterneſs to ſupport it, as a "bad one cannot ſubſiſt without it. It is indeed obſervable, that "an Author is ſcurrilous in proportion as he is dull, and ſeems ra- "ther in a Paſſion becauſe he cannot find out what to ſay for his "own Opinion, than becauſe he has diſcovered any pernicious Ab- "ſurdities in that of his Antagoniſts. A Man ſatirized by Writers "of this Claſs, is like one burnt in the Hand with a cold Iron. "There may be ignominious Terms, and Words of Infamy in the "Stamp, but they leave no Impreſſion behind them.

FREEHOLDER.

LONDON:
Printed for R. GRIFFITHS, oppoſite *Somerſet-houſe*, in the *Strand*. M.DCC.LIX.

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MAY, 28, 1913
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FARTHER

ANIMADVERSIONS, &c.

WHEN Men, of high Rank and Eminence in Society, are guilty of public Miſconduct, the numerous Dependants which their extenſive Influence neceſſarily creates, inſtantly form a Party in their Patron's Defence, and with baſe Servility endeavour to juſtify the moſt flagrant Delinquency.

WHOEVER, warm with honeſt Indignation, dares to expoſe the Miſbehaviour of noble Offenders, is ſure to be loaded with all the Abuſe, with which partial Malice and groſs Scurrility can inſult his Character.

WHEN I penned the Letter which I had the Honour of addreſſing to the noble Commander, I foreſaw that I ſhould incur every kind of Reproach, with which the Malignity of his Adherents could aſperſe me. The Conſideration however did not deter me. Neither now, does the Clamour of their Invectives diſturb my Peace, though they have given Vent to all the Torrent of Calumny, which Malevolence could pour forth againſt me.

THAT I wrote from a full Conviction of the noble Commander's Ill-Conduct, I dare to appeal to Heaven; and rely on Mercy, as I declare the Truth. I ſo little repent the Liberty I have taken in publiſhing my Sentiments, that I glory in the Tribute which I have paid to juſtice.

WHEN Officers in exalted Poſts, act againſt the Honour and Intereſt of their Country, every Member of the Commonwealth has a Right to expreſs his Reſentment of their Conduct. As they are diſtinguiſhed above others, by every Circumſtance which can gratify Pleaſure, or flatter Pride, whenever they prove themſelves unworthy the Diſtinction, it is juſt, laudable, and uſeful, to expoſe their Demerits.

SHALL they be advanced to ſuch a Height of Pomp and Power, as to look down upon their Fellow-Subjects as inferior Beings? and, when they either *wilfully* or *ignorantly* neglect their Duty, ſhall the free Spirit be arraigned, which dares to cenſure the Offenders?

YOU Sir, even though you ſhould be the Party offending, cannot, in your Heart deny the Reaſon and Neceſſity of this Privilege; though, with all the Art you are Maſter of, you would endeavour to explain it away.

NOTWITHSTANDING, as I have already obſerved, I was aware that I ſhould expoſe myſelf to Inſults by my Remonſtrances, yet

your Anſwer is outrageous in Abuſe, beyond any thing my Imagination could form. Inſtead of reaſoning, you rave; and what you want in Argument, you abundantly ſupply in Scurrility.

LIAR, ROBBER, INHUMAN CAITIFF, and EXECRABLE BEING, are the candid Appellations by which you have been pleaſed to diſtinguiſh me. From what curious Nomenclature you culled theſe very elegant Epithets, I am at a loſs to conjecture: But I will ſhew myſelf ſuperior to ſuch Treatment, by not returning it.

A MOMENT's Reflection would have informed you, that, if not out of Regard to me, yet in Juſtice to yourſelf, you ſhould have ſuppreſſed ſuch Language. It is indeed more an Inſult to the Public, than myſelf; for as you have thought proper to addreſs yourſelf to me through that Channel, a Reſpect for your Readers ſhould have taught you to uſe more decent Expreſſions; and I make no doubt but many of them will reſent the Indignity, by throwing your Pamphlet aſide with the Contempt it merits.

IN your Title Page, Sir, you undertake to *prove* that the DESIGN of my Letter is *iniquitous*. Your particular Arguments, by which you impotently attempt to fix this Iniquity upon me, I ſhall conſider in the Order wherein they ſtand. In the mean time I

ſhall obviate what you have advanced by way of general Inducement to this Purpoſe.

You inſinuate in your Introduction, that I have endeavoured to influence the People againſt the noble Commander, before his Trial; which you ſay, is iniquitous.

Should I, which I do not, admit your Charge againſt me, yet I might ſafely deny your Inference. You are to learn, Sir, that the kind of Evidence, on which the Proofs of Criminality depend, is either *poſitive*, or *preſumptive*.

Presumptive Evidence may be ſo violent, as to amount to poſitive; and the Fate of many unhappy Delinquents might inform you, that violent *Preſumption* is, in many Caſes, ſufficient to condemn Criminals, even in a Court of Law. Much more then, is it's Power effectual, to ſatisfy a Man's *private Conſcience*.

The Cenſure paſſed on the noble Commander by the Orders of Prince Ferdinand, was *to me*, and I may add to the Public in general, ſatisfactory Proof of his Delinquency. When I reflected on the Importance of his Lordſhip's Character, from his high Birth, his own perſonal Qualifications, his noble Alliances, his exalted Rank in the State—And laſtly, when I conſidered the Reſpect due to the Britiſh Nation, in his Lordſhip's Perſon as an Engliſhman, and Commander in chief of the Britiſh Forces

—I

—I could not believe that a petty Prince of Germany would venture to ſtigmatize a Nobleman of ſuch Eminence, with the moſt public Mark of Reprobation, unleſs he had received certain Aſſurance of his Miſconduct.

UNDER this Perſuaſion, had I publicly pronounced him guilty, which I thought him in my own private Judgment, yet I could not have been accuſed of Iniquity, however I might have been cenſured for my Raſhneſs.

BUT I was ſo far from preſuming to pronounce ſuch public Condemnation, that I have not taken upon me to conclude from my own Opinion, though I wrote under the ſtrongeſt Conviction of his Criminality.

I DID no more than ſtate his Highneſs's Orders, which I tranſcribed with literal Preciſion. I did not inſiſt on any Circumſtances as *Facts*, but what were contained in thoſe Orders. They implied the ſevereſt Cenſure of the noble Commander's Conduct: And his Lordſhip himſelf acknowledges, in his Addreſs, that " *He cannot* " *diſtinguiſh between an* IMPLIED *and a* PERSONAL *Accuſation.*

No more could I. I found him therefore accuſed, by theſe Orders, of Miſconduct, and particularly of *Diſobedience.* This Accuſation therefore expreſſed the *Eſſence* of his Offence. The *Mode* of it, which is leaſt material both to his Lordſhip and the Public,

Public, was uncertain, *at the time of my writing the firſt Letter.*

MANY Reports however prevailed, with reſpect to the *Manner* of his Miſconduct: I related them candidly and impartially: I related them as *Reports*, not as *Facts:* And I did not ſuppreſs thoſe, which were in his Favour.

IT is true, and I confeſs it without Remorſe, I endeavoured to the utmoſt of my humble Abilities, to expoſe the Heighnouſneſs of his Delinquency; but no where attempted to preclude him from the Benefit of his Defence. On the contrary, I cloſed my Remonſtrances with the following Paragraph.

" BUT I forget that you have not been " heard in your Defence. Your Country " waits for an Explanation: And every Man " of Candor and Impartiality, wiſhes that " your Vindication may prove ſatisfactory." Thus I have fairly and generouſly reminded the Reader, that his Judgment ſhould remain in a State of Suſpenſion.

I DID not attempt to prejudice the Public, by drawing *poſitive* Concluſions againſt his Lordſhip, before he had an Opportunity of controverting the Accuſation. I meant only to excite a proper Reſentment and Indignation againſt the Offence, and to give the Evidence then publiſhed, its proper Weight;

Weight; without preſuming, on my own private Opinion, to pronounce the Offender Guilty.

In what manner then have I attempted to influence the People? The Word *Influence*, you know, Sir, is generally uſed in a bad Senſe: The Senſe in which *You* have employed it. But have I uſed any unfair Means to ſeduce Mens Judgments? Have I mentioned Reports as Facts? Have I ſtrained the Conſtruction of his Highneſs's Orders? —Notwithſtanding the ridiculous Boaſt in your Title-Page, it is not in your Power in theſe, or any other Reſpects, to prove your Impeachment of my Candor or Veracity.

Suppose however, that in oppoſition to Truth and Candor, *I* had inconſiderately pronounced his Lordſhip Guilty, before his Trial,—yet *you*, who profeſs to be Impartial, what Proof do *you* give of your Attachment to Truth? Mark, how a plain Argument will expoſe the Fallacy of your Profeſſions.

If to condemn his Lordſhip before his Trial, be an Inſtance of unjuſt Prejudice, —Is it not, by a Parity of Reaſoning, a Proof of a Partial Bias, on the other hand, to pronounce him *innocent* before ſuch Time? —which you have done in the firſt, and ſeveral other Pages of your Pamphlet. Is there not, on both Sides, an equal Diſregard of *Truth?* See, Sir, how your boaſted Impartiality drops to the Ground.

Besides,

BESIDES, Sir, if I had been as raſh in affirming his Guilt, as you have been in declaring his Innocence, which of us Two would have offended moſt againſt Truth and Decency? I, who to juſtify the Condemnation I might have paſſed, might plead the Accuſation of his Superior, confirmed by the concurrent Reſentment of his own Sovereign, in depriving him of all his Poſts both *civil* and military.—Or you, who in abſolving him, ſet your own private Judgment in oppoſition to ſuch high Authority, and even wilfully ſhut your Eyes againſt the written Evidence of his Lordſhip's own Vindication, which condemns him?

HERE, Sir, I muſt pauſe a while to reflect on the Exceſs of your Preſumption and Abſurdity. Surely there never was in any Age or Country, an Inſtance wherein a General-Officer, after having miſbehaved himſelf in the Day of Battle, been ſtigmatized by the Commander in Chief by the moſt public Mark of Reproach, been diſgraced and degraded by his Sovereign, and even condemned by his own Juſtification,——I ſay, there never was any Inſtance of an Offender in ſuch Circumſtances, who ever found Advocates ſo baſe, or was himſelf ſo daring, as to vilify his Accuſers, and aggravate his Offence by ſtudied Inſults on his Country, which he had injured and diſhonoured.——

Cer-

Certainly, Sir, you muſt be *aut Delinquens aut Nullus.*

If you are not the Delinquent yourſelf, then what muſt be thought of you, who are mean and deſperate enough to turn Apologiſt in ſo ſhameful a Cauſe? Who have preſumed to reproach Prince Ferdinand as cruel and unjuſt——Who affront his Perſon, in diſtinguiſhing him by the petulant Appellation of THE GERMAN——And who have even dared, I had almoſt ſaid traiterouſly, to accuſe your own Sovereign of *Injuſtice?* What ſhall be ſaid of you, who, while you hold it iniquitous to condemn the Guilty before a Trial, at the ſame time run ſuch daring Lengths, in condemning Kings and Princes of Cruelty and Injuſtice?

Well might you make free with my Character, when you have ventured to reflect on Majeſty with ſuch ſcurrilous Audacity. If Sovereigns are not ſafe, it would be Preſumption in me, to expect Security from your Licentiouſneſs.

But I am not offended. On the contrary, I glory in having been the Object of your Abuſe. To be inſulted in ſuch Company, was an Honour I never expected.

Were not theſe ſufficient Indications, that you are actuated by Motives of perſonal Attachment and private Conſideration, rather than by pretended Principles of public Juſ-

tice and national Honour: Yet there is ſtill further Teſtimony, which manifeſts almoſt to Demonſtration, that you are ſwayed by a partial Bias to the Offender, inſtead of being directed by an upright Zeal for Truth.

It is obſervable, that the ſcurrilous Production before me, which you are pleaſed to call an Anſwer to my Letter, is, if it deſerves that Name, an Anſwer to the *firſt only*, which was publiſhed above two Months ago.

Though it is above one Month ſince the Appearance of the *Second Letter*, you have not thought proper to take any Notice of *that*; notwithſtanding it obviates the moſt material Objections, which you have made to the *firſt*.

It was the more incumbent on you, to take the *ſecond* into Conſideration, as the Contents are founded on his Lordſhip's Letter in his own Juſtification, with other Documents which may be preſumed authentic, as he has not ventured to contravert, and as you admit their Authenticity.

Your Omiſſion in this Reſpect, is the more ſuſpicious and unpardonable, as you have quoted againſt me, many Paſſages from his Lordſhip's Epiſtle, and from the other Documents, which are anſwered in the *ſecond* Letter, and which Anſwers you paſs over in Silence.

If you intended to argue like a fair and candid Opponent, in queſt of Truth, and in ſupport of Juſtice, why did you not take the whole of the Evidence together? Why have you wilfully and fallaciouſly ſeparated Parts, which ſerve to explain and illuſtrate each other.

But the *Second Letter*, was too hard for you to falſify or miſrepreſent. You could not, in your Comment on that, pretend to ſay, that I had argued from Hearſays as Facts. His Lordſhip's *own Defence*, is there brought to the Teſt of candid Examination; and you found it for the Intereſt of your Cauſe, to ſuppreſs what you could not refute.

Before I enter upon the Particulars of your ſcurrilous Farrago, I muſt beg Leave to premiſe one more general Reflection in Proof of your Diſingenuity; and to expoſe a Practice, which tends to perpetuate Controverſy, and ſtifle Truth.

By unfairly quoting detached Parts of a Piece, and connecting Paſſages which bear no Reference to each other, it is no difficult Matter, to make a Writer utter Sentiments foreign from his Meaning; and, in ſhort, to force any Conſtruction which Malice and Miſrepreſentation may chooſe to adopt.

Of this very deluſive and diſingenuous Practice, you, Sir, have been guilty to a

ſhameful Degree. Without the leaſt Regard to Truth or Juſtice, you have unmercifully mangled my Letter into Pieces, and afterwards tranſpoſed the divided Parts into an unnatural Order, ſo as beſt to produce the forced and fallacious Concluſions, which you have drawn from perverted Premiſes.

FLAGRANT Inſtances of this diſhoneſt Perverſion, will be exemplified in the Courſe of my Reply: And now, Sir, with extreme Reluctance, I deſcend into that Sink of Scurrility, which you are pleaſed to ſtile *an Anſwer, &c.*

IN your Opening, Sir, you attempt to be florid. You take Pains to prove, what no Man would diſpute, that the Opinion of the People of England is of Moment. "They, "you ſay, form one Part of the Conſtitu- "tion of this Kingdom. They furniſh "thoſe Supplies which national Exigencies "require. They have a Right to know, in "what Ways they have been expended, "in what Manner the public *Adminiſtra-* "*tion* has been *tranſacted*, and by what "Conduct the general Good hath been ad- "vanced or retarded."

All this is very true, and as I dare ſay, you think, very accurately expreſſed. To *tranſact* an *Adminiſtration*, is, in your Opinion I ſuppoſe, very good Engliſh. I beg Pardon,

Pardon however, for this Animadverſion: As I am not ambitious to expoſe the Weakneſs of your Abilities, but anxious to manifeſt the Fallacy of your Arguments, I ſhall decline the abundant Opportunities which offer for Criticiſm, and confine myſelf ſtrictly to the Subject of Diſpute.

YOUR aukward rhetorical Invectives againſt me, I ſhall paſs over unregarded, and proceed to *P.* 6, where, ſpeaking of his Lordſhip, you complain, that — "The Depri- "vation of all Employments fore-ran, which "*in Juſtice* ſhould have ſucceeded, the "Proof of Guiltineſs, *&c.*"

OF your uncommon Preſumption, in thus impeaching Royal Juſtice, I have ſpoken in my Introduction: I ſhall now apply myſelf to prove the Abſurdity and Invalidity of this daring Impeachment.

YOU ſeem ignorant, Sir, as I have hinted before, that the Degree of Evidence neceſſary to convict an Offender in a Court of criminal Juriſdiction, is very different from that, which is ſufficient to ſatisfy private Judgment.

To warrant the Juſtice of depriving his Lordſhip of his Employments, it is enough, that his Majeſty in his own Royal Breaſt, was perſuaded of his Delinquency. After ſuch Conviction, a Refuſal to call his Lordſhip to public Examination, may be *Mercy* but cannot be *Injuſtice.*

HIS

His Majeſty, who, if we could ſuppoſe him capable of ſuch Weakneſs, might have been preſumed *partial* to the Offender, has been pleaſed to expreſs his Perſuaſion of the noble Lord's Criminality, by the moſt mortifying Circumſtances of Royal Reſentment: Having not only diſmiſſed him from his Command in the Army, as unworthy of any military Poſt; but alſo removed him from all his civil Employments, as unfit to ſerve him in any Station whatever.

Under the ſame Conviction of the noble Lord's Delinquency, any of his Fellow-Subjects had a Right to remonſtrate their Senſe of the Detriment and Diſhonour which the Nation ſuſtained, by his inglorious Behaviour.

Such Right of Remonſtrance, Sir, is a Privilege which has been indulged in all free States, for the wiſeſt Purpoſes. It is a neceſſary Supplement to the Law; and it is requiſite that they who are not within the Scourge of legal Juriſdiction, ſhould fall under the Laſh of publick Cenſure.

I again repeat my Confeſſion, that I endeavoured to place the Evidence of his Guilt before the Eyes of the Public, in the Light in which it appeared to me. It would have been unbecoming in me to have dictated the publick Deciſion, and pronounced him guilty. I forbore the Arrogance. I

ſuppreſſed

ſuppreſſed my own Judgment; and candidly reminded my Readers to ſuſpend theirs.

It is true I endeavoured to excite that Abhorrence and Contempt, which ought to attend a Character, capable of committing thoſe aggravated Offences, of which, I was ſatisfied, he was manifeſtly guilty.

I find no Room to repent of, or retract, any thing I have offered. Should his Lordſhip be brought to a Trial and acquitted, yet his Acquittal cannot obliterate the Conviction of his Miſconduct. Tho' there may not be Proofs of Criminality ſufficient to warrant his Condemnation at a Court-Martial, yet his own Defence is enough to convict him at the Bar of private Conſcience.

Page 10, Sir, you venture to aſſert that, without having ſtated a ſingle Fact, or produced the leaſt Shadow of Argument, I pronounce as follows: "To your Coun-
"try's Detriment and your own Diſhonour,
"the Expectations of the Public are diſap-
"pointed. We looked for a Commander,
"and we find a Commentator. We de-
"pended upon an active Warrior, and we
"meet with an idle Diſputant. One, who
"in the Field of Battle, debates upon Or-
"ders with all the Phlegm of an Acade-
"mic, when he ought to execute them
"with all the Vigor and Intrepidity of a
"Hero." Here, Sir, you have diſingenu-
ouſly

ouſly cloſed your Extract, without taking any Notice of the next Line.

SUCH, you ſay, are the Effects of my promiſed Candor: And, after ſome genteel Compliments on the Integrity of my Heart, you affirm, that I have doomed his Lordſhip to Condemnation for thoſe very Crimes, which I have declared I will not lay to his Charge. You then attempt to play the Rhetorician, and flouriſh away with the following Interrogatories.

" Are you not the Aſſaſſin of your own " Deſigns? Have you not in the Antitheſis " of *Commander* and *Commentator*, of the " *active Warrior*, and the *idle Diſputant*, " condemned him for *Neglect?* Have you " not in ſaying that on the Field he de- " bated upon Orders with all the *Phlegm* " of an *Academick*, which he ought to have " executed with all the *Vigor* and *Intrepi- " dity* of a *Hero*, ſentenced him for *Cowar- " dice?* And in the preceding Paragraph " but one, aſking who could queſtion the " Capacity of Lord *George*, have you not " implied that Diſaffection was the Motive " to that Behaviour which you condemn, " the Belief of which it will be ſoon ſeen, " it was your Intention to create and pro- " pagate."

I AM afraid, Sir, you have never heard of the Latin Proverb, *Qui capit, ille facit.* Believe me, it is you who fix theſe Imputa-

tions

tions on his Lordſhip, and it is not in the Power of Sophiſtry, to draw any ſuch Concluſions from my Words. It would indeed have been the Height of Abſurdity, to have ſuppoſed the noble Lord influenced by three ſeveral Motives ſo different in their Nature.

But with what Shadow of Truth, moſt candid Sir, can you preſume to ſay, I have *implied* that Diſaffection was the Motive, the Belief of which I intended to propagate? If you turn to *P.* 43, of my Letter, you will there find to your Confuſion, that I exculpate his Lordſhip from this Motive, in *expreſs* Terms. I there ſay, "As to *Diſaf-* "*fection*, there does not appear to be the "*leaſt Colour* for ſuch an Imputation." Surely you muſt be the moſt diſhonourable of all Diſputants, to force a Conſtruction by *Implication*, againſt an *expreſs* Declaration to the contrary.

This however is not the only Specimen of your Talent for Miſrepreſentation. If to the Extract you have made from my Letter, you had coupled the next Line, you would have found theſe Words—"Such "are the *Imputations* under which you la- "bour *at preſent*."

Now I will appeal to any ſenſible and impartial Man who underſtands Engliſh, whether theſe Words do not bear Reſpect to *future Probation:* Therefore, annexing this Line, in the Order it ſtands, to the

Paſſage you have quoted, how does it appear that I have ventured poſitively to charge his Lordſhip with Crimes, or doomed him to Condemnation? Much leſs can it be inferred, that I have ventured to aſcertain the *Motives* of his imputed Criminality.

But you, moſt kind and worthy Sir, have thought proper to leave out this Line, where its Appearance would deſtroy your malicious Inference, and to inſert it where it might ſupport your Malevolent Miſconſtruction.

Page 23. You inſert this Line, with a fallacious Comment of your own, by way of Parentheſis. "Such are the Imputa-"tions, (that is, *ſay you*, Neglect, Cowar-"dice, or Diſaffection) under which you "labour at preſent," &c.

Can it be ſaid that theſe are the Imputations of which I ſpeak in the Paſſage to which this Line bears immediate Reference? Am I not there ſtating the Nature of the *Crimes* imputed to his Lordſhip, not ſpecifying the *Motives* of his Delinquency?

Surely you are a ſubtle Logician and moſt candid Reaſoner, who can thus artfully attempt to pervert my Meaning, by making my Reflection allude to the *Motives* of the noble Lord's Criminality, which I confine to the *Act* of Delinquency.

What Treatment do you deſerve for ſuch flagrant and manifeſt Diſingenuity?

Could

Could I ſtoop to borrow your illiberal Language, with how much Juſtice might I retort your own foul Epithets upon you?

HOWEVER, purſuing this unfair and unjuſt Inference, you take it for granted that I have condemned his Lordſhip for *Neglect*, *Cowardice* and *Diſaffection*, which cannot be concluded from any Part of my Letter.

As all your Arguments againſt me reſt on this Foundation, they muſt neceſſarily drop of themſelves; and I might ſpare myſelf the Trouble of any further Reply, did not your Scurrility againſt me, include the moſt laboured Miſrepreſentations in a Cauſe, wherein the Public is intereſted.

YOU have endeavoured, Sir, to induce a Belief of my Cruelty and Injuſtice in comparing the Caſe of a late unhappy Admiral, with that of the noble Lord. You ſay, that I have aggravated his Lordſhip's Offence by making it a Mountain, when placed behind the Mole-hill Culpability of Mr. *Byng*: And that I have by falſe Aſſertions incited, in the Opinion of the Populace, an Idea of reciprocal Equity in treating the former in the ſame Manner as the latter was uſed.

BELIEVE me, Sir, you do me wrong. I never yet deſcended ſo low as to addreſs the Populace. Had I meant to harangue the Mob, I ſhould have tried to copy your Stile, and for that Purpoſe ſhould have courted In-

ſtruction from ſome of the learned Rhetoricians in St. Giles's.

It is true, I have ſaid that his Lordſhip's imputed Delinquency exceeds the Meaſure of the Admiral's: The Reaſons however which I have given for my Opinion, and which I ſee no Cauſe to retract, you have ungenerouſly ſuppreſſed.

It is notorious, *from the Declaration of his Judges*, that the Admiral was convicted of an Error in Judgment only. Now admitting his Lordſhip to have erred from the ſame Principle, yet he muſt be more culpable than the Admiral, for this plain Reaſon——Becauſe the noble Lord had not ſuch Right to uſe his Judgment, as the Admiral had. It was his Lordſhip's Duty to have obeyed the Orders he received. But I ſhall place this Article of Miſconduct, in a clearer Light as I proceed.

Notwithstanding, however, I think his Lordſhip's Offence greater than the Admiral's, yet far be from me the Cruelty of urging the ſame Sentence againſt him. Tho' the ſtrict Letter of the Law may pronounce the ſame Doom, yet the Change of Circumſtances is to be conſidered.

It was owing, perhaps, as much to the Complexion of the Times, as to the Colour of his Offence, that the unhappy Admiral was dragged to Execution. I have ſaid in my

my Letter—" Had it been a time for Cle-
" mency, the Delinquent had not fallen a
" Victim to the Rigor of his Sentence.
" The Occaſion called for Severity. The
" Offence was proved: The Law declared
" the Puniſhment: The Nation demanded
" Execution, and the Sovereign approved
" of it."

AFTER this, it would be Preſumption in me, or any Individual, to ſuppoſe he was executed unjuſtly. I ſubſcribe to the Juſtice of his Puniſhment: But ſurely ſuch Puniſhment was *rigid* Juſtice. Heaven knows, and my Friends can witneſs, that I lamented, and wiſhed to avert his Fate.

BUT his Lordſhip has offended in happier Times. Thank Heaven, there is no longer Occaſion for ſuch bloody Examples. Victory ſmiles upon us from all Quarters, and with forward Zeal ſcatters her Trophies in Britannia's Lap. It is not neceſſary now, that one Offender ſhould die, to attone for the Negligence of many. The *ſummum Jus*, might now be rightly deemed *ſumma Injuria:* And whatever you are pleaſed to think of my Diſpoſition, they, to whom I have the Honour of being known, will do me the Juſtice to believe that I would be the laſt to preſs ſuch Severity.

IN your 21ſt *Page*, Sir, you quote a Paſſage from my Letter, wherein I expatiate on the Neceſſity and Juſtice of the War, with the

the Expedience and Obligation of ſupporting our Allies; particularly the King of Pruſſia.

FROM this Paſſage, you draw the following unjuſt Inference:—" In this Manner, " you ſay, by aſſerting that his Lordſhip " muſt have a thorough Knowledge of all " this, and having condemned him before " for *Cowardice*, *Neglect*, or *Diſaffection*, " you have choſen to fix it on the latter. " Cowardice might admit the ſhameful Pal- " liation of being Conſtitutional, and Neg- " ligence, that of want of military Science: " *Both which being beyond the Power of* " *Man to* POSSESS, *and riſing from ori-* " *ginal Formation of Soul*, might tend to " alleviate ſomething of the ſuppoſed Cri- " minality of Conduct on the Firſt of *Au-* " *guſt*. You therefore attempt to intercept " him from the feeble Rays of thoſe glim- " mering *Excuſes*, though *both* by Law are " capital Crimes; in order to rivet the Be- " lief, that Diſaffection was the great Cauſe " of his Conduct. You would induce the " People to believe, that Rebellion againſt " the Dictates of his own Heart, Diſincli- " nation to the War, operated towards " procuring a Defeat on that Day," *&c.*

I WILL decline all Animadverſions on the Nonſenſe and Abſurdity of this Paragraph: I leave you to triumph in all the Pride

Pride of unintelligible Metaphyſical Refinement: I will venture however to add, that it is beyond the Power of Man to determine, by any regular Conſtruction, what thoſe Qualities are, which you tell us are beyond the Power of Man to POSSESS.

BUT I will aſk you, Sir, with what Countenance you can thus perſiſt in perverting my Meaning, ſo as to force Conſtructions, contrary to my own poſitive Declarations? I have already ſhewn, that I acquitted his Lordſhip of *Diſaffection* in expreſs Terms. As to *Cowardice*, concerning that Principle I thus addreſs myſelf to his Lordſhip *P.* 43.

" As you yourſelf are the beſt Judge of " what paſſed in your own Breaſt, it may " ſeem cruel to impute your Diſobedience " to the moſt ignominious of all Principles, " ... Whether Fear tied your Hands or " not, your own Conſcience can beſt de- " cide."

I CONTINUE as follows, —" In ſhort, " the Suppoſition *leaſt* injurious to your " Honour, is to conclude, that national " Pride, and private Animoſity againſt your " Chief, prompted your Diſobedience," *&c.*

CAN any thing be more candid than this Declaration? With what Colour then can you pretend to affirm, that I have condemned his Lordſhip of Cowardice or Diſaffection?

BUT after all, Sir,—Why all this Quibbling about the *Motives* of the Noble Lord's imputed Delinquency? Of what Conſequence is it, before the Public, whether it was from *Cowardice* or *Diſaffection*, that he diſobeyed Orders?

If you, and his other numerous Advocates mean to ſerve his Lordſhip, why do not you apply yourſelves to diſprove the Offence, why did not you endeavour to ſhew, that he diſcharged the Duty of an able and faithful General, and neither neglected or delayed to execute the Orders he received?

IF the Delay, which is a Species of *Neglect*, be admitted, which it is by his Lordſhip's own Letter, to what Purpoſe is it, whether it proceeded from Cowardice or Diſaffection? Heaven and himſelf only, as I have obſerved in my *Second* Letter to the noble Lord, can bear Witneſs to his Motive; but of the Reality of his Offence, we can judge, even from his own Vindication.

WITH reſpect to your Accuſation, whereby you charge me with taking Facts for granted, before they are proved, notwithſtanding my Profeſſions to the contrary—I muſt again tell you, that I have inſiſted on no Circumſtances as Facts, but what are warranted by his Highneſs's Orders. I have not attempted to impoſe Hearſay Evidence on the Public as Facts; but when

I mention the Reports which prevailed concerning the Manner of his Lordſhip's Miſconduct, I candidly tell my Readers, that they are *but Reports.*

I NOW proceed to the moſt material Part of the Diſpute. In your 26th Page, you plume yourſelf on having, as you intimate, detected me of a Falſehood. For this Purpoſe, you quote the following Words from my Letter, where I thus addreſs his Lordſhip.

" On that ſignal Day, when the Action " grew warm, and became worthy of your " Interpoſition, *it is ſaid*, that his High- " neſs Prince *Ferdinand*, the Commander " in Chief, diſpatched one of his Aids de " Camp to you, with Orders for you im- " mediately to *attack* a particular Body of " the Enemy's Troops."

Now, Sir, give me leave to add your ingenious Comment on this Paragraph. It runs thus,—" On this Hearſay Evidence, " you have founded the Truth of this Fact. " You will immediately perceive from the " Letter of that Aid de Camp who brought " the Orders, that the whole which you " have ſaid is intirely a Falſehood. *(p.* 13.)

" *His Serene Highneſs, upon ſome Report* " *made to him by the Duke of Richmond, of* " *the Situation of the Enemy, ſent Captain* " Ligonier *and myſelf, with Orders for the*

" *Britiſh Cavalry to advance.* Now are " public Reports and Hearſays to obtain " Credit, that thoſe Orders were to *attack*, " which the Aid de Camp himſelf declares, " were to *advance?* Or are *advancing* and " *attacking* ſynonimous Terms, and ſimilar " Actions in your Judgment? Thus your " firſt Aſſertion is a palpable Falſehood, " and the Foundation of all your Argu- " ments pulled from under you."

IT muſt indeed be a bad Cauſe, which obliges an Advocate to rely on ſuch flimzy Objections. Surely you cannot think to ſerve his Lordſhip, or prejudice me, in the public Opinion, by ſuch ſhameful Prevarications!

HAD you been candid enough to have taken Notice of my *Second* Letter, you would there have found, that I have, of my own Accord, acknowledged this trivial Miſtake.——I call it trivial, becauſe it does not affect the *Merits* of the Cauſe.

I WILL not venture to ſay, that *advancing* and *attacking* are ſynonimous Terms in my Judgment; but I will inſiſt, that it is as criminal to diſobey Orders for *advancing*, as for *attacking*. It is to be preſumed, that the Orders for advancing, were in order to Attack; and his Lordſhip himſelf tells us, in his Defence, that he expected to charge immediately.

IT

IT is moreover obſervable, that the noble Commander aſſigns this as a Reaſon, why he *halted* Lord Granby, and why he was ſo careful to march in Line. His Lordſhip choſe to proceed to the Charge with *ſlow* and *even* Pace, leſt he ſhould be obliged to charge in Confuſion.

OTHER Generals however, who do not ſeem to be without Reaſon on their Side, have been of a contrary Opinion. They have thought it moſt adviſeable to march briſkly to an Attack, as the Celerity of the Motion prevents the Men from reflecting on the Danger before them, and keeps their Spirits active, which may be liable to droop in a melancholy March, like a Funeral Proceſſion.

How greatly muſt his Lordſhip condemn the impetuous Ardor of our deſperate Commanders in America; who led their Men up dangerous woody Precipices, formed, and afterwards ruſhed upon the Enemy without any Decency or Regularity!

NOT content, however, with proving that I have wickedly and diabolically uſed the Word *attack* inſtead of *advance*; you continue to charge me with further Miſrepreſentation, in the following Words.

" YOU have either concealed or was ig-
" norant, that not one, but two Aids de
" Camp were diſpatched at the ſame time,

" to carry the ſame Orders, as you ſee in " the Tranſcript from *Fitzroy's* Letter, *one* " for the *whole Cavalry*, and the *other* for " the *Britiſh* only to advance. As *Fitzroy* " has ſaid, they parted at the ſame time, " and were ſent with the ſame Orders, how " could you have reconciled this Differ- " ence?"

PARDON me, Sir, if I pronounce you the moſt frivolous of all Cavillers. If you had read my Letter, and quoted it fairly, you would have found, that I was not ignorant of, and that I have not concealed, theſe Circumſtances.

As Colonel Fitzroy's Letter, and the other Documents, however, were not publiſhed at the time of my writing the firſt Letter, theſe Circumſtances then only reſted on Report. On this Footing therefore I have examined them; and I have employed ſeveral Pages to ſhew how, in my humble Apprehenſion, his Lordſhip ſhould have behaved, on receiving ſuch different Orders.

I will not tire my Readers with the Repetition, but take the Liberty of referring you to my Letter, where you will find this Point diſcuſſed from *P.* 36 to *P.* 41; and if you will take the Trouble of peruſing my SECOND Letter, *ſparſim*, you will there find it ſtill more amply *debated*.

BUT

BUT though the Conviction of my Letter ſtares you in the Face, and your Objections are already anſwered, nevertheleſs, without any Attention to my Argments, and without any Regard to Truth and Candor, you purſue your Interrogatories in the following curious Strain.

" In this Dilemma, what would you " have thought expedient to have done? " Both left the Prince at the ſame time, " both were ſent with the ſame Orders, " and yet each brought contradictory. Had " not each of them an equal Right to be " credited? Could his Lordſhip have put " both theſe Orders into immediate Exe- " cution? Could he have executed the Or- " ders of *Fitzroy*, without neglecting thoſe " of *Ligonier?* Unleſs you can conceive " that a General can advance with *Part* of " that Cavalry, and yet leave *none* behind. " Could he have complied with the Orders " of *Ligonier* without neglecting thoſe of " *Fitzroy?* Unleſs he could have advanced " with the *Whole*, and yet left *Part* behind. " Which ought he to have taken, and " which refuſed? If *Fitzroy*'s was moſt " poſitive in the Certainty of being right, " thoſe brought by *Ligonier* ſeemed to be " the moſt conformable to his Lordſhip's " Judgment, which induced him to ſay, " *It was impoſſible the Duke could mean to*

" *break*

" *break the Line*, (*P.* 15.) Should his " Lordſhip, as *Ligonier* never retracted " from what he had firſt delivered, againſt " his own Opinion have yielded to the " Poſitiveneſs of Colonel *Fitzroy?* Is Po- " ſitiveneſs a certain Sign of Mens being " in the Right? I believe the contrary is " moſt frequently found true. And as to " Colonel *Fitzroy*'s offering to lead them " round the little Wood, *P.* 15. what Evi- " dence is this, of his not having been " miſtaken in his Orders? Was his Lord- " ſhip obliged to follow wherever he ſhould " lead, in Oppoſition to his own Lights, " and in Contradiction to the Orders of " another Aid de Camp, whom *Fitzroy* him- " ſelf allows to be ſent with the ſame Or- " ders, and yet brought different."

HERE, Sir, permit me to obſerve, that if you had nothing new to offer in his Lordſhip's Juſtification, you might have ſpared yourſelf the Trouble, and have avoided the Diſgrace, of publiſhing this very abuſive Compoſition.

ALL theſe deluſive Queſtions which you are pleaſed to propoſe, have been already ſtated by his Lordſhip's numerous Apologiſts; and are fully anſwered in my Letters, particularly in the *Second*, which you have cautiouſly and prudently overlooked.

BUT

BUT as I flatter myſelf that I am able to place the noble Commander's Culpability in a ſtill clearer Point of View, I ſhall offer ſome further Animadverſions on his Miſconduct: Eſpecially as you call upon me (*P.* 30.) to " *to inform the World* in what " Manner I could have prevented the Diſ- " advantage which might have ariſen from " a Miſtake of which Orders were to be " purſued."

ACCORDING to my humble Conception then, Sir, his Lordſhip, on receiving ſuch different Orders, ſhould, without any Delay or Heſitation, have obeyed the laſt which were delive ed to him.

IF they were not conformable to his Judgment, and he thought thoſe which he had juſt before received more expedient, he ſhould nevertheleſs have put the Troops in Motion directly, in purſuance of the laſt Order, and at the ſame time have diſpatched an *Aid de Camp* to the Prince, to inform his Highneſs—that he had received different Orders from two Aids de Camp, and to deſire farther Directions.

IF his Lordſhip was but *five* Minutes in obtaining an Anſwer from the Prince, an Aid de Camp might have brought it in the ſame Time: And if the laſt Order to advance with *Part*, which the noble Lord ſhould have been obeying, ſhould have proved contrary to his Highneſs's Intentions, the

the reſt of the Cavalry might have been immediately brought up, and might have joined the *Britiſh*, before, or while they *formed themſelves beyond the Wood*, where his Lordſhip tells us, " *He knew he could join them by* " *the time he had ſeen his ſerene Highneſs.*"

THUS the noble Commander would have done his Duty, and no Time would have been loſt. But in an unneceſſary Parley with Col. Fitzroy and with Capt. Smith, and in a more unneceſſary Gallop to Prince Ferdinand, it is evident that Time was waſted, before any of the Cavalry had Directions to advance, in purſuance of either of the Orders.

Is a General Officer, a *Second in Command*, to quit his Poſt, and ride after a Commander in Chief for an Explanation of his Orders? What are *Aids de Camp* placed about a General's Perſon for? Is it not as abſurd for a General to gallop away for an Explanation of the Orders he *receives*, as it would be for him to ride backwards and forwards, to deliver the Orders in Perſon, which he *iſſues* himſelf? Is not an *Aid de Camp* to be truſted in one Caſe as much as the other?

BUT you are pleaſed to aſk, whether his Lordſhip was obliged to follow Colonel Fitzroy in oppoſition to his own *Lights?* Certainly, Sir, you muſt have the Eyes of a Lynx, to diſcover the Lights which illumed

med his Lordſhip: To me, the noble Lord ſeems to have been ſo totally involved in Cimmerian Darkneſs, that I cannot diſcern the leaſt Ray of Illumination, beaming on any Part of his Conduct.

WITH regard to your Quæry, however, Sir, give me leave to put the following Interrogation.——If the noble Lord did not intend to follow the Guidance of Col. Fitzroy, to what Purpoſe did he aſk the Colonel—"*which Way the Cavalry was to march, and* "*who was to be their Guide?* *"

IF his Lordſhip did not intend to follow, this Queſtion could anſwer no other End than that of *Delay:* And was that an Occaſion on which to waſte Time? When the Colonel offered to be his Guide, with what Countenance could the noble Commander reſume an Objection, which he had abandoned by his Queſtion; and, inſtead of following the Colonel, gallop after the Prince?

To convince you, however, that I am inclined to allow your Arguments, and even your Suppoſitions, their full Force, I will take it for granted, that, as *you are* pleaſed to aſſert, the Orders brought by *Ligonier* were moſt conformable to his Lordſhip's Judgment.

IN this Caſe, had he acted in Conformity to ſuch Judgment, and advanced the *whole* Cavalry, he might perhaps have proved culpable, but would certainly have been ex-

 cuſable.

* See Colonel Fitzroy's Letter.

cuſable. Had that been all his Fault, my Pen would never have ſtained Paper to reproach him.

THOUGH, in ſtrictneſs, it is an Officer's Duty to obey the *laſt* Orders he *receives*, yet when different Orders are brought to him, both diſpatched at the ſame time, he is certainly excuſable in purſuing thoſe which he thinks moſt eligible.

THERE is a material Difference between an Officer's oppoſing his Judgment againſt the Commands of his Superior, and his making uſe of his Underſtanding in the Selection between two different Orders, both delivered from the ſame Authority, and diſpatched at the ſame Time.

FOR an Inferior in Command to aſſume a Right in the firſt Inſtance, is wilful Diſobedience: But in the Second, he pays Obedience to Orders, though he may prove miſtaken in his Conſtruction of his Superior's Intentions.

HAD his Lordſhip erred through ſuch Miſconſtruction, his very Enemies muſt have pardoned the Miſtake. But to carry neither of the Orders into Execution: To waſte the Time in needleſs Expoſtulations with Colonel Fitzroy and his own Aid de Camp: To aſk frivolous Queſtions, in ſuch an important Moment: To enquire for a Guide, and then decline his Guidance: To degrade himſelf from his Capacity of a General, and

ſink

ſink into an Aid de Camp, by galloping after the Prince for an Explanation of clear and poſitive Orders——O ſhameful! O unpardonable!

You are pleaſed, however, to inſinuate, that, "to avoid as much as poſſible the In-" jury which might have followed the im-" plicit Obedience to either of theſe Orders, " his Lordſhip ſent Captain *Smith* his Aid " de Camp with Orders to bring on the " *Britiſh* Cavalry," &c. And this, you ſay, was carried into Action, from what Captain *Smith* obſerved to his Lordſhip, "that if he " would allow him to fetch the *Britiſh* Ca-" valry, they were but Part, and if it was " wrong they could ſoon remedy the Fault."

But to whom are we obliged for this Action, late as it was executed? Not to the noble Commander, but to his Aid de Camp, who tutored his Lordſhip: Who told him he thought his Orders *clear and poſitive*: And who begged his Permiſſion to fetch the Britiſh Cavalry. His Lordſhip was ſo totally in the dark, that even this Gleam of Light did not open to *his* Underſtanding.

It appears, however, from Capt. *Smith*'s Declaration, that no Injury would have been received from an implicit Obedience to either of the Orders. Had the noble Commander immediately advanced either *Part*, or the *Whole* of the Cavalry, and at the ſame time ſent to his Highneſs to know

which was conformable to his Directions, the Fault, had any been, would have been eaſily remedied in either Caſe: For had he advanced with *Part*, the Remainder might have been readily brought up; had he advanced with the *Whole*, the ſuperfluous Forces might have eaſily fallen back.

IT is pleaſant to obſerve, Sir, with how little Reſerve you, who pretend to be a Volunteer in the Service of Truth and Candor, have preſumed to ground the fouleſt Imputations againſt Prince Ferdinand, on no other Foundation than your own unjuſt Surmiſe.

"NOTWITHSTANDING, you ſay, *the* "*Prince expreſſed his Surprize ſo ſtrongly,* "*and that he had declared Colonel Fitzroy* "*had delivered his Orders very exactly*, he "changed his Mind, and gave his Lord- "ſhip Orders which were different from "both; which were, to leave *ſome* Cavalry "upon the Right, without ſpecifying, ei- "ther what Number or of what Nation; "which was accordingly done; and *to ad-* "*vance the reſt to ſupport the Infantry.*

"WHAT is to be inferred," you continue, "from theſe three different Orders? "Shall we conclude that both *Ligonier* and "*Fitzroy* were miſtaken? That is impoſſi- "ble, becauſe the Prince had declared, that "the Colonel had delivered them very ex- "act; but does it not afford ſome ſmall

"Suſpicion,

" Suſpicion, that as the Prince knew not " the Orders which *Ligonier* had delivered, " that to countenance thoſe ſent by *Fitzroy*, " he ordered *ſome* Cavalry to be left, other- " wiſe he might probably have ordered the " *whole* to have advanced?"

How, Sir, can you expect that the Public will give Credit to your Profeſſions of Truth and Candor, when you thus wickedly preſume to impeach his Highneſs of the greateſt Baſeneſs, Cruelty, and Injuſtice, without producing the leaſt Shadow of Evidence, to countenance your malignant and injurious Suggeſtions?

HAD you not been pre determined to ſhut your Eyes againſt every Light which expoſed the Fallacy and Malice of your malevolent Conſtruction, you might have drawn a juſter and more natural Inference from theſe three, as you are pleaſed to term them, different Orders.

YOU might have concluded, and Reaſon would have warranted your Concluſion, that his Lordſhip's Delay occaſioned this Variation, if any it was: For it is obſervable that you are as partial in your Quotation, as unjuſt in your Conſtruction. The noble Lord's Words in his Letter to Col. Fitzroy, are, " The Duke then ordered me to leave " *ſome* SQUADRONS (not ſome Cavalry) to " the Right," &c. Now though it was not material for his Lordſhip in his Letter to

to ſpecify what Number of Squadrons, and of what Nation, yet we are not therefore to conclude, that the Prince was not more particular in his Orders.

But ſuppoſe they varied ever ſo materially from thoſe ſent by Colonel Fitzroy, might not the Face of Things have changed during the time of the noble Lord's Heſitation and Debate, and have made ſuch Variation neceſſary?

Is it agreeable to Reaſon or Juſtice to imagine, that his Highneſs, who was reſponſible for the Succeſs of the Day, would out of Partiality to Colonel Fitzroy, or Pique to the noble Commander, have hazarded his own Reputation and the Loſs of the Battle, by changing the Diſpoſition of the Field contrary to his own Judgment? Can even Malice ſuppoſe, that he would have ordered *ſome* of the Cavalry to be left, if he had thought it adviſeable that the Whole ſhould advance?

Let us ſee however, how you juſtify his Lordſhip for his Delay in advancing, and his ſending repeated Orders to Lord Granby to halt, after the noble Commander had received clear and poſitive Orders from his Highneſs himſelf, to advance to the Support of the Infantry.

Page 37. You ſay, that — "As every "one that knows any thing of the *Britiſh* "Cavalry

" Cavalry muſt be convinced, that their " great Superiority conſiſts in their Weight, " and that this Weight depends in a great " meaſure on the firm Order in which " they attack; and as their Onſet might " inſtantly have ſucceeded their Coming-up, " was not this Deſign of bringing them up " regularly together, the Duty of a Ge- " neral?

As I own that I have not been trained up in the Field of Mars, it may be Preſumption in me to determine the Duty of a General; but thus much I will venture to ſay, that, admitting their Superiority to conſiſt in their Weight, the Celerity of their Motion would increaſe that Weight.

Beſides, your Reaſoning is too vague to prove any thing. It is certainly the Duty of a General to bring up his Troops regularly together, that is, as regularly as the Circumſtances of the Field will admit. But if a Body of Infantry ſhould be engaged with the Enemy on the moſt unequal Terms, and a General ſhould be ordered to advance to their Support, He is not to *creep* to his Station, leſt the Noſe of one Man, ſhould get the Start of another.

We find that his Highneſs, whom we muſt ſuppoſe ſome Judge how far the Regularity of a March is to be preſerved, has not only applauded Lord Granby for his Expe-

Expedition, but has condemned the noble Commander for his Delay; and cenſured him for halting the Marquis. Add to this, that the noble Lord's own Defence contains Acknowledgment of his Procraſtination.

I PASS over your frivolous Cavils which you purſue, on thoſe Paſſages of my Letter, wherein I ſpeak of the Reports which prevailed reſpecting his Lordſhip's Miſbehaviour. I have already anſwered your Objections, and they are ſtill more effectually obviated by the Contents of my *Second* Letter.

I LIKEWISE decline taking Notice of the foul and approbrious Language with which you dare to vilify me; and which, in truth, injures yourſelf, inſtead of hurting me. My very Perſon has not eſcaped the Groſsneſs of your Abuſe. You ſay, "My Fea- "tures are," you hope, "as hideous as my "Mind." With regard to my Mind, I have the inward Satisfaction to know, that it does not bear the leaſt Reſemblance to your Deſcription: As to my Features, I cannot boaſt indeed that they are ſo comely as his Lordſhip's. Nevertheleſs, ſuch as they are, I truſt, I ſhould not have been aſhamed to exhibit them, where the noble Lord was backward in expoſing his.

LEAVING you, however, to triumph in Scurrility, in which you ſhall ever remain unri-

unrivalled by me, I proceed to the 48th *Page*, where you charge me with Inconſiſtency; to prove which, you quote the following Paſſage from my Letter.

" In ſhort, there are but theſe two Al-
" ternatives in the Caſe. *1ſt.* Either you
" underſtood your Orders, but thought
" them improper to be put into Execution;
" or, *2dly.* You did not comprehend them,
" and therefore left them unexecuted."

In your Comment on this Paſſage, you ſay,—" If he underſtood his Orders, and
" thought them improper to be carried in-
" to Execution, the Neglect ſprung from
" Error in Judgment, *Negligence alone* was
" then his Fault. If he did *not* compre-
" hend them, and therefore left the Orders
" unexecuted, the Fault aroſe from Want
" of Underſtanding in him, or Want of
" it in thoſe who brought them. He was
" then neither guilty of *Negligence*, *Cow-*
" *ardice*, *Diſaffection*, or *Mutiny*; for no
" Man can be deemed guilty for leaving
" Commands unexecuted, which he could
" not comprehend."

Here, Sir, I muſt obſerve, that according to your honeſt Practice throughout, you have ſeparated Parts which refer to and illuſtrate each other. Had you continued your Quotation farther, you would have found, that I argue, with regard to theſe two Alternatives, in the following Terms:

" IN the *firſt* Inſtance, you are inexcu-
" ſable. It was not your Buſineſs to judge
" of their Propriety, for which your Superior
" was accountable, but inſtantly to obey
" their Directions. In the *ſecond*, you are
" equally unpardonable: If your Orders
" were ambiguous, it was nevertheleſs your
" Duty to have been *active*. *They were clear*
" *as to that Point*."

I PURSUE theſe Reflections through ſeveral ſucceeding Paragraphs, which you have prudently overlooked; and I apply myſelf to prove, that if Commanders were allowed to plead the Ambiguity of their Orders in Delay of their Execution, it would be impoſſible to enforce the Duties of Subordination; which Point I have conſidered more at large in my *Second* Letter.

I GRANT indeed, that no Man, *morally* ſpeaking, can be deemed Guilty, for *acting wrong*, in the Execution of Orders which he *did not* comprehend: But if he makes his Want of Apprehenſion a Plea *for not acting at all*, he certainly will not be held Guiltleſs. If this was to be allowed, as no Man can determine the Limits of another's Comprehenſion, Soldiers might always evade their Duty, by pretending that they did not comprehend their Orders.

BUT, you ſay, " It was not Want of Com-
" prehenſion, but the Contradiction which
" the

" the Orders conveyed, that prevented their " Execution." In what manner his Lordſhip ſhould have acted under theſe Circumſtances, I have ſo fully ſet forth, both here, and in my Letters to the noble Commander, that it would be needleſs to give any farther Anſwer to Objections, which have been ſo clearly refuted.

NEITHER will I make any Reply to your indecent Reflections on Prince Ferdinand, as they do not in the leaſt affect the Merits of the noble Commander's Cauſe, to which I profeſſed ſolely to adhere. Whether his Highneſs was ſurprized by the Enemy, or whether he was faulty in the Diſpoſition of the Field, are immaterial to the Diſpute. For, admitting theſe Poſtulatums, they will not exculpate his Lordſhip, for his Heſitation and *Delay*.

I NOW, Sir, with great Pleaſure attend you to your Concluſion, where you cloſe your matchleſs Piece of Scurrility, with the moſt bitter Execrations, that ever were vented from the Heart of the moſt abandoned Reprobate.

I CANNOT however but applaud your Concern, when you ſay—" Name not where " thou wert born, leſt the Place of thy " Nativity be curſed."

YOU have good Reaſon, Sir, for warning me not to name the Place where I was

born. If you can ſuppoſe, that the Miſbehaviour and Unworthineſs of any Individual can damn a particular Spot, the Place of my Nativity is indeed accurſed: For,——*I was born in his* LORDSHIP'S *Neighbourhood.*

HERE, Sir, I take my Leave of you, and of the Subject. Who you are, I am not ſolicitous to know. If you are yourſelf the Delinquent, I ſmile at your Rage. If you are any other, I deſpiſe you for your Proſtitution.

IN what I have written concerning his Lordſhip, I am countenanced by the public Opinion reſpecting his Conduct. With regard to the innumerable Apologies which are daily crowded into the Papers, and which endeavour to pervert Common Senſe and Juſtice in his Favour, I will only ſay, that there are Advocates ſuited to every Cauſe; and that it is a certain Sign of a weak Foundation, when we behold ſo many Supporters.

OF his Lordſhip's flagrant Miſconduct, no Man of Senſe and Impartiality can entertain a Doubt. It appears from his own Acknowledgment and the Declaration of his own Aid de Camp, that he was guilty of unneceſſary *Delay*, in ſeeking an Explanation of *clear* and *poſitive* Orders; and that when he had obtained ſuch Explanation,

he

he was guilty of *farther Delay* in not *advancing* with due Expedition, purſuant to Orders received from his Highneſs's own Mouth; as I have more particularly proved in my *Second* Letter.

SHALL his Lordſhip then, who has, for many Years, received the national Pay, to the Amount of a princely Revenue; who has been honoured with Poſts of the higheſt Truſt, and diſtinguiſhed by the Favour and Confidence of his Sovereign;—Shall HE, when called upon to acquit himſelf of ſuch vaſt Obligations, when ſummoned to the Teſt of his Abilities, when ordered to the Diſcharge of his Duty;—Shall HE, though ſpirited to the Purſuit of Glory by the *Prince*'s Aid de Camp, though even tutored in the Leſſon of Houour by his *own* Aid de Camp;—Shall HE, pauſe, heſitate, debate, deſert his Poſt, gallop after an Explanation of what every one pronounced *clear* and *poſitive*?—When aſſured, from the Mouth of his Superior, that his Doubts were groundleſs, and ordered to advance to the Support of his Fellow-ſoldiers, who were engaged in an unequal Conflict—Shall HE *crawl* to his deſtined Station, by a ſlow and cautious March, till the Opportunity of his intended Service was loſt?—Not contented with impeding the Succeſs of the Day, by his own dilatory Motions,—Shall HE, by his

his Authority, check the generous Ardor of more forward and intrepid Commanders? —And after theſe ſhameful Inſtances of glaring Miſbehaviour — Shall HE be permitted to retire with haughty Reſignation, and enjoy the long accumulated Fruits of a Nation's Induſtry, unreproved, uncenſured, and uncondemned?—Nay more, ſhall HE, by his own, or hired Pens, preſume to defame thoſe, who expreſs their honeſt Indignation againſt him?—Shall, HE, dare to vilify his Royal Accuſer, and even condemn his own Sovereign of Injuſtice?

No! While there is Senſe and Spirit in Great Britain, the Public will teſtify their Reſentment of ſuch ignominious Conduct, aggravated by ſuch daring Inſolence.

The Frowns of public Indignation have been ſmoothed by the Smiles of Victory: But let not his Lordſhip, by an ill-timed Effrontery, wrinkle that Serenity which is the Pledge of his Security.

LET him retire with peaceful Contrition: Let him aſſociate with his Apologiſts and Dependants: Let him not brave the Face of the Public: Let him hide himſelf in Obſcurity: and not dare to advance now with ſuch deſperate Strides, when he moved with ſuch Caution in the Field.

A P-

APPENDIX.

AS I do not propoſe ever to concern myſelf farther with this diſagreeable and ungrateful Subject, I cannot omit this Opportunity of taking Notice of another * of his Lordſhip's Apologiſts, who, after having kindly premiſed, that I have apparently a better Head than Heart, has charged me with Miſconſtruction, and with perverting the plain Senſe and Meaning of Words, *(contrary to the Conviction of my own Mind,)* in the following Paſſage of Captain *Smith*'s Declaration.

WITH reſpect to the Orders which Colonel *Fitzroy* brought, Captain *Smith*, ſays, ——" I immediately went up to Colonel " *Fitzroy*, and made him repeat the Or- " ders to me twice. I thought it ſo *clear* " and *poſitive* for the *Britiſh* Cavalry only " to advance, where he ſhould lead, that I " took the Liberty to ſay to his Lordſhip, " I did think they were ſo; and offered to " go and fetch them, while he went to the " Prince, that noTime might be loſt.——His " Anſwer was, he had alſo an Order from " the Prince by Mr. *Ligonier*, for the *whole*

 " Ca-

* The Author of a Pamphlet, intitled, Col. *Fitzroy*'s Letter conſidered.

" Cavalry to come away, and he thought " it impoſſible the Prince could mean *that*."

In his Comment on this Paſſage, the Writer ſays—" The Word *That*, does here " plainly refer to Colonel *Fitzroy*'s Orders, " or elſe it would be no Anſwer to Captain " *Smith*; nor any kind of Reaſon for not " agreeing with his Advice: The clear " and manifeſt Meaning of his Lordſhip's " Anſwer is, that he thought it impoſſible " the Prince could mean, that the *Bri-* " *tiſh* Cavalry only ſhould advance, becauſe " he had Orders from him by Captain " *Ligonier* for the *whole* Wing to come " away."

As clear and manifeſt as the Gentleman thinks this Meaning, yet if we compare Capt. *Smith*'s Reply with his Lordſhip's Anſwer, we ſhall find, that he not only underſtood the Word *that* to refer to *Ligonier*'s Order, but that his Lordſhip's Conſent to the Captain's Advice was grounded on this Conſtruction.

" I REPLIED," ſays Captain *Smith*, " that " if he would allow me to fetch the *Bri-* " *tiſh*, they were *but a Part*, and if it was " wrong they could ſoon remedy the Fault." ----" He (his Lordſhip) ſaid, then do it as " faſt as you can."

Now to diſcover which Conſtruction is moſt agreeable to Senſe and Reaſon, let us ſtate this Dialogue in the two oppoſite Lights: firſt let us fairly and candidly take it for

granted, that the Word *That*, as the Writer contends, refers to *Fitzroy*'s Orders; then let us ſee how ſenſible and conſiſtent this Confabulation will prove.

CAPTAIN *Smith* thought it ſo *clear* and *poſitive* for the *Britiſh* Cavalry *only* to advance, that he declared his Opinion to his Lordſhip, and offered to fetch them.—The noble Lord's Anſwer was, "he had alſo an Order from the Prince by Mr. *Ligonier*, for "the *whole* Cavalry to come away; and he "thought it impoſſible the Prince could "mean *that*."—That is, as the Writer himſelf explains it,—he thought it impoſſible the Prince could mean, that the *Britiſh* Cavalry *only* ſhould advance, becauſe he had Orders from him by Captain *Ligonier* for the *whole* Wing to come away. To this, Captain *Smith* replied, "that if he would "allow him to fetch the *Britiſh* they were "*but a Part*, and if it was wrong, they "could ſoon remedy the Fault." And his Lordſhip rejoined—"then do it as faſt as "you can," &c.

Now in the Name of Common Senſe, what are we to think of Captain *Smith*'s Reply? Does not he repeat the Words of the noble Lord's Objection, inſtead of removing it? His Lordſhip anſwers, that he thought it impoſſible that the Prince ſhould mean the *Britiſh only* to advance, as he had an Order alſo for the *whole* to come

away: To which, the Captain, if I may be allowed to amplify the Sentence, replies,—If you think it impoſſible the Prince ſhould mean the *Britiſh only* to advance, but that he intends the *whole* ſhould come away, allow me to fetch the *Britiſh*, they are *but a Part*.—Could Idiotiſm itſelf make a more nonſenſical Reply? And could this be a Foundation for his Lordſhip's ordering him to do, what, as he declared, he thought it *impoſſible* the Prince ſhould mean?

But admitting, as I have ſuppoſed in my *Second* Letter, the Word *That* to refer to *Ligonier*'s Order, then the Captain's Reply is ſenſible and pertinent.—"If, ſays he, you "think it impoſſible the Prince ſhould "mean *That*,"—that is, if you think it impoſſible the Prince ſhould mean the *whole* to come away, *allow me* to fetch the *Britiſh*, they are *but a Part*, &c. Upon this Conſtruction too, there is a Reaſon for his Lordſhip's agreeing to the Captain's Advice, but there is none according to the other.

It is true, that according to this Conſtruction, his Lordſhip's Anſwer is not ſo pertinent as his Rejoinder. But his Confuſion appears to have been ſo great, that, on other Inſtances, his Diſcourſe is not ſo pertinent and conſiſtent as might be expected from a Nobleman of his Abilities.—Witneſs his needleſs Quære to Colonel Fitzroy—Which Way the Troops were to march,

and

and who was to be their Guide?—When he did not think it adviſeable to follow.

Upon the whole, I would adviſe this illiberal Writer to be cautious for the future, how he arraigns Mens Probity, to whom he is a Stranger, becauſe their Underſtandings do not ſquare with his own. Let him remember, that they who are forward to revile, prove that they have no Foundation on which to reaſon.

If I am miſtaken in my Conſtruction, my Error proceeds from the Incapacity of my Apprehenſion, not the Corruption of my Heart. But I willingly appeal to the Public, whether, *in this Inſtance*, I am defective in Either.

POSTCRIPT.

" Since the foregoing Pages paſſed through the Preſs, I have had the Mortification to be informed, that I have ſtooped to reply to that very ready and abuſive Writer, who now juſtly lies under Confinement for the moſt daring and ſcandalous of all Libels: And who was an Apologiſt for the late unhappy Admiral, to whoſe Ruin, perhaps, he contributed not a little, by irritating the Public againſt the unfortunate Delinquent, by his lame Vindications and ſcurrilous Invectives. Had I known

him ſooner, I had not degraded myſelf by contending with an Antagoniſt, whoſe very Name is ſufficient to invalidate his Arguments. His Lordſhip's Caſe is indeed *Dignus Vindice Nodus.* I would adviſe the noble Lord, however, to be cautious how he engages an Advocate, whoſe Pen has brought Contempt upon himſelf, and Deſtruction on his Clients."

F I N I S.